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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,950	07/21/2004	Kyosti Valta	43289-205707	3429
26694	7590	10/25/2007		
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER WHITE, EVERETT NMN	
			ART UNIT 1623	PAPER NUMBER
			MAIL DATE 10/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/501,950	Applicant(s) VALTA ET AL.	
	Examiner Everett White	Art Unit 1623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3 and 5-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,3 and 5-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The amendment filed September 11, 2007 has been received, entered and carefully considered. The amendment affects the instant application accordingly:
 - (A) Claims 1 and 4 have been canceled;
 - (B) New Claim 33 has been added;
 - (C) Claims 2, 3, 10, 11, 13-19, 21, 31 and 32 have been amended;
 - (D) Comments regarding Office Action have been provided drawn to:
 - (I) the finality of the last Office Action, which has been withdrawn;
 - (II) 112, 2nd paragraph rejection, which has been withdrawn; and
 - (III) 103(a) rejection, which has been maintained for the reasons of record.
2. Claims 2, 3 and 5-33 are pending in the case.

Finality Withdrawn

3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

4. Claims 2, 3 and 5-32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman et al (EP 402606) in view of Hill et al (US Patent No. 2,134,825) for the reasons disclosed on pages 3-5 of the Office Action filed March 12, 2007.

Response to Arguments

5. Applicant's arguments filed September 11, 2007 have been fully considered but they are not persuasive. Applicants' rearrangement of the wording of the independent claim was noted (see canceled Claim 1 and newly added Claim 33). However, the rearrangement of the wording of the independent claim did not result in a substantial difference in the claimed invention, per se. Applicants argue that neither the Rahman et al or Hill et al reference suggests subjecting a mixture including cellulose, a liquid, auxiliary agent, and urea, where the liquid content in the mixture is less than 40% to mechanical working. In the arguments, Applicants refer to page 3, line 35 through page

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4, line 2 of the instant specification to describe the advantageous effects of the instant invention described in the present application. Applicants appear to argue that carrying out the instantly claimed process wherein the liquid content in the mixture is less than 40% is novel or produce novel results. Applicants further argue that the Hill et al patent does not suggest mechanical working of the mixture. These arguments are not persuasive since the Hill et al patent does suggest mechanical working of a similar mixture that involve preparation of cellulose carbamate. No unexpected results have been noted using the instantly claimed process wherein the liquid content of the mixture is less than 40%. The advantages of the instantly claimed process referred to on page 3, line 35 through page 4, line 2 of the instant specification that involve penetration of the chemicals into the fibre, the homogenization of the pulp, the reduction of the crystallinity of the pulp, the DP adjustment of the product, which are partly caused by mechanical working is not persuasive since the Hill et al patent does disclose mechanical working of the product thereof. One of ordinary skill in this art would not know if such properties of the instantly claimed invention are different from those of the Rahman et al and Hill et al patents since specific values of the properties, such as the crystallinity of the pulp, have not been recited in the instant claims and references for comparison. Accordingly, the rejection of the claims under 35 U.S.C. 103(a) as being unpatentable over the Rahman et al EP patent in view of the Hill et al patent is maintained for the reasons of record.

Summary

6. All the pending claims are rejected.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

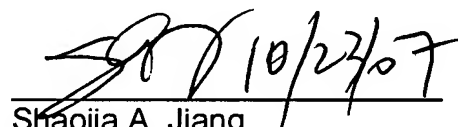
Examiner's Telephone Number, Fax Number, and Other Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Everett White whose telephone number is 571-272-0660. The examiner can normally be reached on 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia A. Jiang can be reached on 571-272-066127. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


E. White


Shaojia A. Jiang
Supervisory Primary Examiner
Technology Center 1600